

DESIGNER SELECTION BOARD

MINUTES OF THE 967th MEETING, WEDNESDAY APRIL 3, 2019 AT 8:30 A.M, 21ST FLOOR CONFERENCE ROOM, MCCORMACK BUILDING, ONE ASHBURTON PLACE, BOSTON, MA 02108.

1. ROLL CALL:

The Designer Selection Board Meeting was called to order at 8:30 a.m.

MEMBERS PRESENT:

Charles Redmon, FAIA, Chairman	Registered Architect
Beth McDougal, AIA, Vice-Chairwoman	Registered Architect
Jacquelin Yessian, RA, LEED AP	Registered Architect
Jessica Tsymbal, AIA, LEED AP	Registered Architect
Rebecca Sherer, P.E.	Registered Engineer
Mitch Keamy, P.E.	Registered Engineer
Gregory E. Brown, P.E.	Registered Engineer
Daniel M. Carson, P.E.	Registered Engineer
Virginia Greiman	Public Member
Janice M. Bergeron	Public Member

MEMBERS ABSENT:

Kenneth Wexler General Contractor

Present for the DSB staff, Bill Perkins, Executive Director, Claire G. Hester, Program Coordinator III and Roberto Melendez, Program Coordinator I.

2. MINUTES OF THE PREVIOUS MEETING:

The minutes of the 966th March 20, 2019 meeting were approved.

On a motion to approve the minutes of the 966th March 20, 2019 meeting by Jacquelin Yessian, seconded by Daniel Carson. Motion was approved unanimously.

3. VISITORS:

Jennifer Shelby	Architectural Engineers
Stephen Setterlum	B+AC Engineering
Jim Harding	Trial Court
Kim Plunkett	Trial Court
Laurene Demoy	Studio G Architects
Corinna Anderson	Ann Beha Architects
Jessica Brown	Edm
Tony Hsiao	Finegold Alexander
Clair Colburn	Finegold Alexander
Kyle Slifer	JCJ Architecture
Doreen Bennett	Baker Wohl Architects
Stefan Leonte	Perry Dean Rogers
Cyrus Dahmubed	Utile, Inc.
Gail Rosenberg	DCAMM
Liz Minnis	DCAMM
Robin Luna	DCAMM
Cory Hayes	Moody Nolan, Inc.
Kevin Putney	DCAMM
Chad Reilly	HDR
Harold Levkowicz	HDR
Mark Meche	Winter Street Architects
Chris Nordberg	STV
Amada Chisholm	MassDevelopment
Ed Starzec	MassDevelopment
Richard Henderson	MassDevelopment
Gail Sullivan	Studio G Architects
L. Neubauer	Dream Collaborative
Dena Zyroff	Isgenuity
Marion Roosa	Habeeb & Associates Architects
Paola Munoz	Fennick McCredie Architecture
Jess Bell	Fennick McCredie Architecture

4. NEW BUSINESS:

- A. **DSB List #18-15, Item #1**, TRC1913 ST1, Study & Final Design of the Brockton Superior Court & Brockton Trial Court, Study Fee: \$365,000, Schematic Design is To Be Negotiated, Final Design is To Be Negotiated, ECC: \$22 million to \$29 million (To Be Determined by Study), 7 Applicants

Review of the seven (7) applications resulted in determination that two (2) of the applicants had failed to meet the following requirements and could not be considered for this project:

Howeler & Yoon Architecture did not meet MA ownership requirements and no #8b for Vermeulens, Inc. – cost estimator. On a motion to disqualify Howeler & Yoon Architecture by Gregory Brown, seconded by Daniel Carson. Motion was approved unanimously.

Perry, Dean, Rogers & Partners had no resume (#7) for Kalin Associates – specification consultant. Jacquelin Yessian motioned to consider Perry, Dean, Rogers & Partners for this project, seconded by Mitch Keamy. Gregory Brown motioned to disqualify Perry, Dean, Rogers & Partners, seconded by Rebecca Sherer. Motion was approved by the majority to disqualify Perry, Dean, Rogers & Partners. Jacqueline Yessian and Mitch Keamy were opposed.

Liz Minnis from DCAMM and Kim Plunkett from Trial Courts were present to explain the project and answer questions from the Board. After a discussion the Board voted to select the following three (3) unranked firms to be interviewed on April 17, 2019:

Ann Beha Architects, Inc.
Finegold Alexander Architects
JCJ Architecture, PC

On a motion by Gregory Brown to interview Ann Beha Architects, Inc., Finegold Alexander Architects and JCJ Architecture PC, seconded by Virginia Greiman. Motion was approved. Jacquelin Yessian and Janice Bergeron abstained.

B. DSB List #19-05, 19-001, Study & Design of Architectural Repairs, Renovations and Upgrades, MassDevelopment, Statewide, House Doctor, Fee: \$1,500,000, 32 Applicants

Review of the thirty-two (32) applications resulted in determination that five (5) of the applicants had failed to meet the following requirements and could not be considered for this project:

Amenta Emma Architects, PC had no 8b for Ellana – cost estimator. On a motion to disqualify Amenta Emma Architects, PC by Rebecca Sherer, seconded by Virginia Greiman. Motion was approved unanimously.

ATANE Engineers, PC did not meet Massachusetts Ownership Requirements and had no Master File Brochure on file with the DSB. On a motion to disqualify ATANE Engineers, PC by Jacquelin Yessian, seconded by Virginia Greiman. Motion was approved unanimously.

Isgenuity had no Sub-Consultant Acknowledgement forms for Faithful + Gould (cost estimator), AKF (code consultant) and Gale (building envelope consultant) On a motion to disqualify Isgenuity by Gregory Brown, seconded by Virginia Greiman. Motion was approved unanimously.

Kleinfelder Northeast, Inc. had no electrical engineer nominated. On a motion to disqualify Kleinfelder Northeast, Inc. by Gregory Brown, seconded by Virginia Greiman. Motion was approved unanimously.

Sorensen Partners Architects + Planners had no resume (#7) for the building code consultant Matthew Bronski and no 8b for Simpson Gumpertz & Heger. On a motion to disqualify Sorensen Partners Architects + Planners by Gregory Brown, seconded by Rebecca Sherer. Motion was approved by majority. Jacquelin Yessian opposed.

Utile, Inc. did not answer Section #12 with Yes or No. Jacquelin Yessian motioned to consider Utile, Inc. for this project, seconded by Mitch Keamy. Motion was approved to consider Utile, Inc. by majority. Charles Redmon, Gregory Brown, Rebecca Sherer and Beth McDougal opposed.

Amanda Chisholm, Ed Starzec and Richard Henderson, all from MassDevelopment were present to explain the project and answer questions from the Board. After a discussion the Board voted to select the following six (6) unranked firms for this House Doctor project:

Dietz & Company Architects, Inc.
HDR Architecture, PC. (HDR)
ICON Architecture, Inc.
Kuhn-Riddle Architects, Inc.
Scott Payette Architects
Utile, Inc.

On a motion by Rebecca Sherer to select the above firms for MassDevelopment House Doctor, seconded by Gregory Brown. Motion was approved. Mitch Keamy abstained.

C. DSB List #19-06, DCP1921 HD1, Study, Planning, Design & Construction of Courthouses, Statewide, House Doctor, Fee: \$2,000,000, 11 Applicants

Review of the eleven (11) applications resulted in determination that one (1) of the applicants had failed to meet the following requirements and could not be considered for this project:

Gienapp Architects, LLC had no MBE firm nominated for this project. On a motion to disqualify Gienapp Architects, LLC by Gregory Brown, seconded by Virginia Greiman. Motion was approved unanimously.

Liz Minnis from DCAMM and Kim Plunkett from Trial Courts were present to explain the project and answer questions from the Board. After a discussion the Board voted to select the following five (5) unranked firms for this House Doctor project:

Finegold Alexander Architects
Habeeb & Associates Architects
HDR Architecture, PC (HDR)
Perry, Dean, Rogers & Partners, Architects, Inc.
Studio G Architects, Inc.

On a motion by Rebecca Sherer to select the above firms, seconded by Mitch Keamy. Motion was approved unanimously.

D. DSB Discussion on Operational Issues

- Engineering Specialties/Board of Registration

Bill Perkins informed the Board that DCAMM legal is modifying the language for the engineering specialties and licensing requirements discussed with Abbie Goodman from the ACEC at the March 20, 2019 meeting. When DCAMM submits the proposed modifications, the Board will then vote to approve or disapprove the proposed modifications for engineering specialty licensing requirements.

- Video Policy

The video policy was discussed and voted on at the October 10, 2018 meeting.

Francis Harrigan made a motion, seconded by Gregory Brown for the items listed below. Motion was approved unanimously.

- All visitors must sign an agreement allowing them to be recorded during the DSB meetings.
- The Board will be notified when visitors are logged into the meeting.
- Members and staff must sign an agreement allowing them to be recorded during the DSB meetings.
- Do not live stream project interviews.
- All meetings must be recorded while live streaming.
- Online viewers agreement to not record DSB meetings

Broadcasting the meetings were stopped.

Bill Perkins would like to revisit the issue to broadcast the DSB meetings live. There were questions to record the meeting while broadcasting live. The public record of the meeting is the minutes. If a meeting is broadcast live, then the meeting is required to be recorded and the recording stored for the same length of time as the written meeting minutes. Bill Perkins stated the Board can broadcast live and not record the meetings. Previously, the DSB borrowed a camera from DCAMM. Bill Perkins would like to purchase a better camera and possibly Skype the meetings.

Daniel Carson asked if we would need specialty trained staff to run the camera for the meetings. Bill Perkins stated that Roberto Melendez (DSB Staff Member) did a great job using the borrowed equipment from DCAMM.

Virginia Greiman made a statement that from a legal prospective, the Board has enough responsibility. She has been on several boards, including the Board of Education who voted against broadcasting their meetings. Members do not need to worry about liability, about what is said or be analyzed by outside firms. It is not required by law and she does not see an advantage to broadcasting live, recording or taping the meetings. Minutes are available to the public, meetings are open to the public and staff can respond to questions. She is opposed to broadcasting live and recording meetings.

Daniel Carson agrees that Virginia Greiman has good points and members could be subject to liability and has concerns regarding broadcasting meetings. He stated the ramifications of recording or broadcasting interviews; the Board will not broadcast project interviews or informational interviews.

Jessica Tsymbal said that data storage is not that expensive. If the argument against broadcasting and recording the meetings is the cost of storage, this should not be the issue; data storage is cheap.

Mitch Keamy asked Roberto Melendez if he had any feedback from the public on the audio/video quality. Roberto Melendez stated that the audio/video quality was poor. He could not tell who from the public signed in. There was an average of 3 outside logins per meetings not including the DSB Staff Members.

Rebecca Sherer stated that if the meetings were streamed, they could still be recorded by the public and we (DSB) would never know. She commented on the Board being open to liability to begin with and we should get clarification and confirmation from A&F. She would also like to re-visit the policy for members especially those that are from the western part of the state to be able to video conference the meeting. Jessica Tsymbal stated that we cannot use video conferencing for members at every meeting. Beth McDougal proposed to locate 1 or 2 meetings in the western/central part of the state per quarter.

Beth McDougal stated she contacted Maura Healy's Office and the Secretary of the Commonwealth with regard to the live streaming of the DSB meetings and the issue of recording the meetings. She was told that if the DSB is going to live stream meetings that they must be recorded and stored for the same amount of time as the written meeting minutes. If a member of the public would like a copy, the recorded video must be sent to the individual or there should be a link they can have access to, for the recorded video.

Beth McDougal stated that Bill Perkins and the Board will research for more information in the next two weeks to provide additional information with regard to the video conferencing for Board members and for the public. Once the supporting paperwork is received and submitted to the DSB a vote will be taken.

Below is the vote that was taken at the December 20, 2017 meeting regarding remote participation for members:

A. Remote Participation for DSB Meetings

Rebecca Sherer travels from the Western part of the State to attend meetings. She discussed the possibility of remote participation with the Board. After a discussion, the Board voted that members who have an emergency (sick, weather related, etc.) will be allowed remote participation at meetings via remote conferencing in accordance with M.G.L. Chapter 39, Section 23D:

The attorney general may be regulation or letter ruling, authorize remote participation by members of a public body not present at the meeting location; provided, however, that the absent members and all persons present at the meeting location are clearly audible to each other; and provided, further, that a quorum of the body, including the chair, are present at the meeting location. Such authorized members may vote and shall not be deemed absent.

On a motion by Francis Harrigan, seconded by Gregory Brown. Motion was approved unanimously.

5. MOTION TO ADJOURN: The Board adjourned at 11:45 a.m.

On a motion to adjourn by Jacquelin Yessian, seconded by Gregory Brown. Motion was approved unanimously.

6. NEXT MEETING:

WEDNESDAY, APRIL 17, 2019, at 8:30 a.m.

Submitted by: Claire H. Hester

Approved by: Beth McDougal